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ABSTRACT

Federal, State, and private entities combined efforts and deliberately created this country's dual racial system of higher education. This dual system is characterized by distinctions in the racial composition of students and faculty, and by more salient and inequitable distinctions in patterns of funding, growth, and development. Black colleges were established as part of a social system of enforced racial exclusionary practices. However, both Federal and State policies have evolved into seemingly contradictory thrusts. In the interest of diversity, the Title III program seeks to strengthen historically black colleges, while at the same time concern for civil rights is reflected in desegregation efforts which could eliminate these colleges. These contradictions have generated policies which are uneven and often inequitable in their impact on black colleges. (RLV)

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Desegregation and Black Colleges:

A Tangled Web of Policy, Politics and Practical Myths[1]

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Federal, state and private entities combined efforts and deliberately created this country's dual racial system of higher education. This dual system is characterized by distinctions in the racial composition of students and faculty, and by more salient and inequitable distinctions in patterns of funding, growth and development. And it is a system which remains largely intact, despite numerous legal, executive and legislative assaults of the past 30 years. I'd like to share with you some thoughts as to why.

Black colleges were established as part of a social system of enforced racial exclusionary practices. From their inception, historically black colleges (HBC's) were placed outside the mainstream of higher education. Today there are 102 HBC's which remain predominantly black. Forty of these are public institutions and 62 are private (National Advisory Committee, Jan., 1979, Appendix A). These 100 odd institutions have and continue to fulfill a Herculean mission. They have produced over 70% of all the nation's black college graduates; 75% of all black college graduates who obtained the Ph.D.; 75% of all black military officers; 80% of the nation's black federal judges; 85% of our black physicians (Myers, 1978). In 1976, HBC's awarded nearly 40% of all baccalaureate degrees received by blacks that year (Institute, 1978, p. 24; National Center, 1978).

Roots of Government's Involvement

The historical development of HBC's is intricately intertwined with government's involvement in higher education. Our government

is a federation of states. All powers not explicitly reserved for the federal government by the Constitution are the responsibilities of the member states. The formal education of the citizenry is one such state responsibility.

Compelling Interests

However, in response to 'compelling national interests', a federal role in education has evolved. Examples of early federal involvement in higher education include: Provision of land grants for universities to all the newly admitted western states; the Morrill Act of 1862 which created a national system of white land-grant colleges; the Hatch Act of 1887 which provided funds for agriculture research; the second Morrill Act of 1890 which provided annual revenues for land-grant colleges and established a system of 17 black land-grant colleges (Brubacher & Rudy, 1976, Chap. 4 & 11).

During the first half of the current century, major federal initiatives in higher education included the Smith-Lever Act of 1914 (extension services), the Vocational Rehabilitation Act of 1919 and the College Study-Work Program Act of 1935 (Brubacher & Rudy, 1976, Chap. 11). In the World War II years, huge amounts of federal research funds were infused into colleges and universities. As a result, the characteristics of many schools were transformed into those of major research institutions. Compelling national interests also were instrumental in Congressional passage of the Serviceman's Readjustment Act of 1944 (i.e., the GI Bill), and the

Housing and Home Agency Act of 1950 which provided loans for constructing college facilities.

During the past 25 years, the federal role in higher education has intensified greatly with enactment of the National Defense Education Act of 1958, and the omnibus Higher Education Act of 1965 and its Ammendments of 1968 and 1972.

Civil Rights

Civil rights concerns have provided a second, more indirect policy route through which a federal role in higher education has evolved. In contrast to state responsibility for education, securing and protecting of civil rights is a constitutionally mandated federal responsibility, which was expanded to include black citizenry by the 14th and 15th Ammendments, and the Civil Rights Bill of 1875.

However, despite these legal mandates, later events detoured federal efforts. One such event was the Hayes Compromise of 1877 which freed the South from Northern intervention. In 1883, the Supreme Court reinterpreted the Civil Right Bill of 1875 to mean that states, not individuals, were forbade from discrimination (Bennett, 1969, pp. 225-226). The Jim Crow laws followed. In the 1896 case of Plessy v. Ferguson, the Court extended this interpretation and decided a state could indeed compel 'reasonalbe' racial segregation. And in a side remark, the Court added, "segregation in education is a general American practice, not a uniquely Southern one" (Clift, 1960, p. 33)

Thus began the long legal assault upon the 'separate but equal' doctrine. In 1950, the Supreme Court made three significant decisions (Bennett, p.420; Quick & King, 1964, p.149; Brubacher & Rudy, Chap. 4). In the cases of Sweatt v. Painter, McLaurin v. Oklahoma State Regents, and Henderson v. United States, the Court established progressively stringent criteria for meeting the test of equality. Finally, in the 1954 decision on Brown v. Topeka Board of Education, segregated schools were declared unconstitutional and the doctrine of 'separate but equal' was struck down.

During the long 'separate but equal' era, a biracial society was maintained in which the education of blacks was generally limited to a special kind and quality considered suitable for their status. This policy was strongly supported by the philanthropic funds which nurtured the HBC's during their early years. For example, the Slater Fund confined its aid to those black institutions that provided instruction in the trades and other manual occupations (Slater, 1896, p. 31). Trustees of the Peabody Fund withheld aid to states that did not provide for racially separate schools, and granted aid to educational institutions through use of a scale on which black schools received two-thirds that amount received by white schools of comparable size (Bond, 1966, p. 132; Bullock, 1967, pp. 121-128).

Inequities in Pursuit of Current Goals

Current policy in higher education reflects government's

evolved role relating to the three goals of: 1) equal opportunity in higher education, 2) a creative national research capacity, and 3) assurance of a reasonable degree of institutional health as indicated by diversity among institutions (Carnegie Council, 1975).

Equal Opportunity

The first of these, equal opportunity, is sought through the three instruments of support programs for educationally disadvantaged students, financial aid, and desegregation.

The major support programs are known as the Trio Programs of Talent Search, Upward Bound, and Special Services for Disadvantaged Students.[2] As indicated in Table 1, Blacks represented 50% of the program participants in FY 1977. HBC's received 17% of the FY 77 appropriation for these programs (Congressional Budget, 1977, pp. 46-47).

In FY 78, the federal government provided a total of over 3.5 billion dollars in student financial aid in the form of direct student aid (BEOG) and institutional payment (SEOG, CWSP, NDSL, Guaranteed Loans).[3] In FY 77, black students comprised 40% of the SEOG recipients, and approximately 25% of all the other financial aid programs (Congressional Budget). Federal financial aid is also bolstered by various state financial aid programs.

The desegregation component of equal opportunity is most visible in efforts related to enforcing Title VI of the 1964 Civil

TABLE 1

MAJOR FEDERAL HIGHER EDUCATION PROGRAMS DISPROPORTIONATELY ASSISTING BLACK STUDENTS

Program	Fiscal Year 1977 Appropriation (in millions of dollars)	Number of Recipients	Percent Black	Dollars Per Student		Effect of An Additional $100 million
Student Assistance:						
Basic Grants	1,904 f/	1,975,000		27 g/	911	Could raise ceiling $100 reaching new middle-income eligibles; tighten contribution schedule by reducing income breakpoint to $3,000 increasing under $10,000 incomes share of funds by 3 percentage points; loosen contribution schedule with opposite effect.
Supplemental Grants	250	445,000		54 h/	562	At current average award would serve 178,000 more students of which about 40 percent would be low-income dependent students.
College Work-Study	390	891,000		26 h/	525	At current average award would aid 229,000 additional students -- 30 percent to students from low-income families.
Direct Loans	311	834,000		23 h/	690 i/	At current average loan would disburse 159,000 more loans -- over 20 percent to students from low-income families.
Guaranteed Loans	357	866,000		14 i/	1,210 i/	Increased subsidy commitments of $100 million would require the disbursement of about 970,000 new loans at the current average amount; new subsidy provisions suggest that these loans would go to middle- and upper-middle income families.
Institutional Assistance:						
Developing Institutions	110	758,000 k/		35 l/	145	About twice the number of institutions would be served with significant expansion at urban institutions.
Special Programs for Disadvantaged	85	275,000		50	309	About 324,000 new eligibles could be served.

f/ Available funds total $1,700 million.

g/ Estimated.

h/ These are Fiscal operations data from fiscal year 1973. They probably overstate the percent of blacks served in each year since the inception of Basic Grants.

i/ Survey estimate for fiscal year 1973.

j/ Average loan per borrower.

k/ Enrollment at Title III schools.

l/ Percent of enrollment at Title III schools.

SOURCE: Congressional Budget Office, 1977, pp.46-47

Rights Act, a raft of Executive Orders banning discriminiation, and the mandates of the Adams v. Califano suit.

In 1970, the NAACP Legal Defense and Education Fund, on behalf of Adams, filed suit against HEW for failure to enforce Title VI pertinent to desegregating the higher educational systems of ten states.[4] A 1973 Adams ruling required HEW to take enforcement action on the plans (submitted by eight of the states). In 1974, HEW accepted plans from these states.

However, in 1977, the Adams plaintiffs sought further relief, claiming that the 1974 plans did not comply with criteria previously announced by HEW. The Court responded and ordered HEW to develop and issue within 90 days, specific criteria for use by six of the states in preparing revised desegregation plans.[5] These amended criteria require that desegregation plans include the following elements: 1) disestablishment of the structure of a dual system of public higher education, 2) desegregation of student enrollment, 3) desegregation of faculty, administrative staffs, nonacademic personnel and governing boards and 4) strengthening of public historically black college. Specific criteria are noted for each of these elements and plans are required to specify goals, timetables, and measures for achievement (Califano, 1977; U.S. District Court, 1977).

A Creative Research Capacity

A second goal of current higher education policy is development of a creative research potential. This is accomplished

primarily through award of research and development (R&D) funds. These funds are used to conduct research, expand equipment and facilities, develop and expand graduate and professional programs, and improve faculty quality. The indirect costs provisions of R&D grants are also a lucrative source of general operating funds.

Federal investment in university R&D activities is even greater than its investment in student financial aid. In 1976, R&D funds to colleges and universities amounted to 1.8 billion dollars. This figure represents 70% of all federal funds available for such activities (Report, 1978), and over 43% of total federal funds received by all colleges and universities. However, in the case of black colleges and universities, R&D funds represent only 11% of total federal funds received (National Science Foundation, 1977).

Not only is racial inequality found in the amounts of R&D funds received, but also in their sources. As noted in Table 2, most R&D funds received by black colleges and universities in FY 75 were awarded by the human resources agencies of HEW, HUD, and OEO. Some federal agencies awarded no R&D funds to black institutions and numerous agencies awarded these institutions less than 2% of their available funds.

Legal restraints also have reinforced inequitable funding patterns. For example, many states have decreed that only the 1862 land-grant institutions, all of which are historically white, may

TABLE 2

TOTAL FEDERAL OBLIGATIONS TO COLLEGES AND UNIVERSITIES,
INCLUDING PREDOMINANTLY BLACK INSTITUTIONS,
BY AGENCY, FISCAL YEAR 1975

AGENCY	AMOUNT (000's) TO BLACK COLLEGES	AMOUNT (000's) TO ALL COLLEGES	BLACK COLLEGES % OF TOTAL
ACTION	611.3[1]	6,313.0[1]	9.7
Agency for International Development	0	12,442.0	0
Community Services Administration (formerly OEO)	6,000.0[1]	11,500.0[1]	52.2
Department of Agriculture	16,425.0	290,738.0	5.6
Department of Commerce	0	26,445.0	0
Department of Defense	307.0	190,462.0	0.2
Department of Health, Education and Welfare	(205,305.0)	(3,412,281.0)	6.0
National Institute of Education	47.0	13,039.0	0.4
Office of Education	160,658.0[2]	1,316,901.0[2]	12.2
Public Health Service	29,632.0	1,984,383.0	1.5
Social and Rehabilitation Service	0	3,265.0	0
Other HEW	14,968.0	94,693.0	15.8
Department of Housing and Urban Development	671.0	2,337.0	28.7
Department of the Interior	40.0	28,772.0	0.1
Department of Justice	953.0[1]	40,343.0[1]	2.4
Department of Labor	163.0	5,533.0	2.9
Department of Transportation	208.0	20,543.0	1.0
Environmental Progtection Agency	566.0	38,811.0	1.5
Energy Research and Development Agency	220.0	124,165.0	0.2
National Aeronautics and Space Administration	2,512.0	108,846.0	2.3
National Endowment for the Arts	58.0[1]	6,668.0[1]	0.9
National Endowment for the Humanities	341.0[1]	32,820.0[1]	1.0
National Science Foundation	5,284.0	490,513.0	1.1
Nuclear Regulatory Commission	0	58.0	0
TOTAL	239,664.3	4,849,590.0	4.9

1/ Estimate.

2/ Includes estimate for National Direct Student Loans.

SOURCE: Federal Interagency Committee on Education, Federal Agencies and Black Colleges, Fiscal Year 1975, Volume 4,No.2, December, 1977, p. 4.

be recipients of Department of Agriculture R&D funds and the necessary State matching funds (FICE, 1971).

Recently, President Carter took action against such inequitable patterns of R&D funding. In January, 1979, he issued a directive requesting a coordinated federal effort in support of HBC's. A committee has been formed, composed of top-level representatives of all federal departments. This committee has found that only 14 of the 75 major federal agencies have existing relationships with HBC's. They also have discovered that most federal bureaucrats concerned with R&D grants do not know the networks, personalities, politics, and principle actors of the black academic community. Consequently, the committee is unclear about the most efficient and effective means for carrying out its mandate (Bohen, 1979).

Diversity

The third goal of higher education policy concerns issues of diversity. A concern for diversity in higher education stems from the characteristics and ethos of American society. Ours is a highly industrialized and economically complex society. Our manpower and intellectual needs are many, varied, and continuously changing. Ours is a pluralistic society which espouses the possibility of group passage from minority and lower-class status to majority and middle-class status. No single type of educational institution can effectively and sufficiently respond to this complement of

manpower, intellectual, and status passage needs.

Government has actively supported a variety of institutional roles and missions in higher education. At the federal level, diversity is supported through direct aid to institutions and state. Aid to states involves incentives for such activities as establishing state financial aid programs, library acquisition, and improved statewide planning and coordination in higher education. As previously noted, federal aid to institutions primarily consists of student financial aid and R&D funds. However, one type of federal institutional aid gives special recognition to the role of HBC's. This is Title III of the Higher Education Act.[6]

In FY 77, Title III provided 120 million dollars to assist developing institutions -- those institutions "struggling for survival and isolated from the main currents of academic life." Forty-six percent of these funds were awarded to predominantly black colleges; 14% were awarded to predominantly Native American and Hispanic institutions; 24% were by legislation reserved for community colleges. The remainder of funds were awarded to predominantly white four-year institutions having the characteristics of a 'developing institution' (Office of Planning, 1977).

Diversity is also a central focus of state higher education responsibilities. States support diversity by funding public systems of universities, state and community colleges, providing direct aid to private institutions, and developing uniform state-

wide policies. But state policies also impact inequitably on black colleges.

A 1970 study revealed that 16 predominantly white land-grant institutions received 450 million dollars in state funds while their sister predominantly black land-grant institutions received only 52.3 million dollars. The enrollment of these white institutions was five and one-half times that of the black institutions, but the white institutions received nine times more state dollars (Payne, 1970).

Direct aid to private institutions is granted by half of the states (Carnegie Foundation, 1976, p. 80). However, because of their tradition of attracting students on a regional and national basis, private HBC's tend to receive half the proportion of state funds received by predominantly white private institutions (Congressional Research, 1977).

Uniform enforcement of state policies also has negative impacts on public HBC's. For example, ceilings on out-of-state students quite often impact only on a state's HBC's. Trends of state coordinating boards to set moratoriums on both institutional size and introduction of new programs, places a special burden on HBC's whose vertical and horizontal growth has been stunted repeatedly in the past. State budget formulas based on FTE do not take into account the extra cost of instruction incurred by institutions enrolling large percentages of low-income students requiring intensive instructional assistance (Myers, 1977).

Reflections on Desegregation Policy: Failures of the Pragmatic Paradigm

In reviewing the history of higher education policy, we witness evolving federal and state roles derived from the two independent but overlapping concerns for compelling interests and protecting of civil rights. In the case of HBC's, these two concerns have converged into seemingly contradictory policy thrusts. The compelling interests concern is most visibly reflected in the Title III program which, in the interest of diversity, seeks to strengthen HBC's. The civil rights concern is most visibly reflected in desegregation efforts which potentially could either eliminate HBC's or drastically change their characteristics and missions.

Response to the explosive potential of these contradictory thrusts has taken the form of what might be termed a reiterative policy approach. Policy bearing upon HBC's is continually shaped and then reshaped; the rules of the game are continually changing, but never in a fundamental way. This reiterative policy approach is most evident in the judicial and executive histories of Adams v. Califano. The reiterative policy process has generated policies which are uneven and often inquitable in their implications for, and impact upon, HBC's.

I would like to set forth the argument that these contradictions, reiterations, and inequities stem from three failures of the policy process: 1) failure to respond to the differing value

assumptions underlying the concepts of compelling interests and civil rights, 2) failure to incorporate into problem and policy analyses the major variable of racism and its impact on American institutions, 3) failure to develop a policy process which is sufficiently synthetic to effectively respond to issues characterized by complexity and inconsistency.

Policy responses to compelling interests involve concern for the special interests of institutions and other major social structures. In response to these special interests, values underlying policy concerns tend to be instrumental. The preferred policy option is one which is believed to be the most efficient and effective means to some desired goal (Meyer & Greenwood, 1977, pp. 10-11). The goals, of course, are continually changing in response to the changing concerns of institutional and social structural interests.

Policy responses to civil rights involve concern for basic rights of individuals. Values underlying civil rights policy concerns tend to be inherent. The preferred policy option is one which is believed to be most clear, generalizable and consistent with other values of the same dimension (Mayer & Greenwood). Policy reflecting inherent value assumptions involves a goal (e.g., human rights) which is its own justification.[7]

As a result of these differing value assumptions, policy emanating from compelling interests and civil rights concerns are

often translated politically as a clash between collective and individual interests, with little regard for their differing value assumptions. Consequently, policies reflecting inherent value assumptions generally are not tested by logical and ethical analyses, but by the tests of efficiency and effectiveness which are more appropriate for policy reflecting instrumental value assumptions. As a policy derived from a civil rights concerns, desegregation is most appropriately assessed in terms of what John Rawls (1971) terms its justice in securing for the least advantaged the human rights of liberty and opportunity.

Policy impacting upon HBC's also has failed to acknowledge the significant influence of racism on the development of all of our social institutions. Racism is not incorporated as a major variable in our problem and policy analysis. Policy thus becomes framed in the ahistorical context of the current status of a particularized problem requiring a programmatic or regulative response. In issues involving black institutions, this ahistorical approach tends to result in policy solutions which protect and promote the interests of the white majority, and often perpetuate the injustices they purport to resolve (Bell, 1973). Needless to say, impacts of such blinders-on policy are ineffective and inconsistent.

The third failure of policy impacting upon HBC's encompasses the two failures previously discussed. The current policy process is insufficiently synthetic to incorporate apparent com-

plexities and inconsistencies.

Historian Robert McClintock (1976) has observed that social policy is based upon a paradigm of pragmatism, practicality, and efficiency: a particular remediable problem is identified, a workable program to ameliorate the problem is devised, and policy impact is viewed as the result of rigorous implementation. However, as indicated by their history, HBC's do not experience particularized problems. Rather, they experience predicaments involving complicated, contradictory, interrelated, historically rooted situations. Action upon abstracted particularized problems does not result in disentanglement from the total complexity of the predicament.

A more synthetic approach to the policy process would take predicaments, not problems, as its starting point. Theories would be generated regarding the nature of the predicament and its latent sources of order (McClintock). From such theories, policy options would be generated embodying choices of the type 'both/and' rather than 'either/or.' Such a policy approach is somewhat less responsive to collective interests articulated by ruling elites, and more responsive to the needs of individuals and pluralistic institutions. This approach does not rely solely on principles of efficiency and exigency, and thus, is more responsive to distinctions between instrumental and inherent value assumptions. A policy process focusing on predicaments

also is more able to incorporate the distorted institutional developmental processes generated by racism.

When we recognize such failures of the policy process, new questions arise concerning the futures of HBC's. For example, can greater justice involve policy which places an additional burden on a set of institutions whose development has been stymied systematically and continuously? Can a just policy be one which effectively reduces the power and authority which a disadvantaged group historically has struggled to gain and maintain? Does the diminution or elimination of black colleges further the civil rights goals of desegregation, or can the strengthening of their mission and the broad dissemination of their special expertise be viewed as supportive and congruent with such goals?

The futures of HBC's were assessed in a recent Congressional Research Report (1977). The Report notes, "HBC's as a group appear to have experienced stable if not improving financial health during the first half of the 1970's." The Report goes on to cite a Carnegie Foundation report (1975), which indicates that despite trends to the contrary in higher education in general, the health of the HBC's (in terms of financial, academic, and enrollment stability) is expected to improve due to their links with a special constituency and experience of dealing with financial and academic stress.

The critical question of course is, will our future policies be ones which will facilitate or thwart this expected developmental course of the historically black college?

Reference Notes

1. I believe knowledge of historical context is essential for any inquiry. So bear with me while I share the history of this paper. In December, 1979, Dorothy Stewart of Tennessee State University phoned me and asked if I would be willing to participate in this symposium and present a paper on "Social Science and desegregation in higher education. Some five months later, I hauled myself to the library to do the necessary literature review. My diligent efforts were met with continuous frustration. Although plentiful at the elementary and secondary levels, little social science literature has been generated regarding desegregation at the postsecondary level. It seems that on this issue, social scientists have abdicated their expertise and responsibilities as specialists in human behavior, organizational, and social change. They have relinquished leadership to politicans, bureaucrats, and administrators. Perhaps, desegregation is an issue too close to 'home', and arouses too many dilemmas regarding the institutional system through which many social scientists gain their livelihood, power, priviledge and prestige. The point is, it is difficult to say something about nothing. So I changed the thrust of this paper to focus upon the impact of desegregation policy on black colleges.
2. The Trio Programs seek to motivate high school students through

educationa.' enrichment activities, and facilitate retention of disadvantaged college students through various types of educational support programs.

3. In FY 77, approximately 50% of federal financial aid funds were awarded to students from families with incomes of less than $7500. The equal opportunity provided by these funds has served to narrow the gap in probability of college attendance between students from middle lower income families. In 1976, 58% of youth from families with incomes of $15,000 or more attended college. Only 22% of youth from families with incomes of $5,000 did likewise. But prior to 1965, middle income students were four times more likely to attend college than were lower income youth (National Advisory Committee, 1978, p. 11; National Center, 1978 (a), pp. 102-103; Todd, 1978).
4. The ten states involved in Adams had operated de jure segregated state college and university systems. These states were Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, Pennsylvania, and Virginia. Prior to the Adams suit, HEW's' Office for Civil Rights had sent letters to each of the states notifying them of their violation of Title VI and requesting submission of corrective plans.
5. Maryland had been sued earlier by HEW, and Pennsylvania had

reached a settlement with HEW.

6. Title III funds are used for activities relating to low-income student development, instructional effectiveness, and administrative effectiveness. Consequently, Title III institutions have developed or expanded career, financial and placement counseling programs, and programs for basic skill development. These institutions also have introduced innovative teaching and learning methods, and expanded learning resource and library materials. Faculty in-service training has been expanded, as have faculty opportunities to attend professional meetings & seminar. Increased released time has been available for faculty educational R & D activities. The institutions also have installed improved management information systems (McManis, 1978).

7. Discussions related to the distinction between instrumental and inherent values may be found in Abraham Kaplan's, The conduct of inquiry, San Francisco: Chandler, 1964, pp. 393-396; Charles E. Lindbloom's, The policy-making process, Englewood Cliffs, N.J.: Prentice-Hall, 1968, pp. 16f.

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